

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

TODD JANSON, et al.,)
)
)
Plaintiffs,)
)
)
v.) **Case No. 10-04018-CV-C-NKL**
)
)
LEGALZOOM.COM, INC.,)
)
)
Defendant.)

**JOINT MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT AGREEMENT**

Come now the parties, by and through their respective counsel, and move for an Order granting preliminary approval of a class action settlement reached in the above referenced matter that resolves all of the claims on behalf of the class previously certified in this matter (*See*, Doc. # 61). A true and accurate copy of the parties' executed Settlement Agreement is attached hereto as Exhibit 1 and is incorporated herein by this reference. More specifically, the parties jointly request the Court find as follows:

1. That the proposed settlement and release, the terms of which are fully set forth in the Settlement Agreement, are fair, reasonable and adequate and are preliminarily approved, subject to a final fairness hearing and final approval.
2. That the settlement applies to the certified class defined as follows:

All persons and other entities resident within the State of Missouri who were charged and paid fees to LegalZoom for the preparation of legal documents from December 17, 2004 to May 20, 2011.

The class does not include purchasers of the following products: blank fillable forms, design patents, full patents, patent searches, provisional patents (Self-Help), trademarks, trademark

monitoring and trademark searches. Further, the class does not include those who previously received a full refund of their purchase amount from LegalZoom, or those who properly opt-out of this settlement.

3. That subject to final approval, the prerequisites of Fed. R. Civ. P. 23 are met with respect to the defined class and the settlement.

4. That the proposed manner of dissemination and content of the Notice specified in the Settlement Agreement and in Exhibits A and B thereto provides the best practicable notice to members of the class under the circumstances and satisfies the requirements of due process and that such notice must be disseminated to the class within 60 days from the date of any Order approving this Motion.

5. That the Court set a date at least 120 days from the date of any Order approving this Motion for a final approval hearing on the fairness and reasonableness of the proposed settlement and whether final approval should be granted, and further, on the application for fees and expenses by counsel for the class.

6. That the Court set a date 100 days from any Order approving this Motion by which any potential class members must opt out of the Settlement if they do not wish to participate, using the process set forth in Section V.E. of the Settlement Agreement. The notice of elections to opt-out will not be filed with the Court.

7. That any class members who wish to object to the settlement must submit an objection in writing to the Clerk of the United States District Court for the Western District of Missouri, Central Division no later than 100 days following the entry of any Order approving this Motion. Any objection must include the name and number of the case and a statement of the reason why the objector believes that the Court should find that the proposed settlement is not in

the best interests of the class. Objectors who have filed timely written objections to the settlement and who wish to appear at the final approval hearing must also file with the Clerk a notice of intent appear at the hearing and appear at the final approval hearing. No person, other than named parties, may be heard at the fairness hearing, or file briefs or papers in connection therewith, unless such person has filed with the Court a timely written objection, filed a notice of intent to appear and otherwise fully complied with all the terms specified in the Notice. Any member of the class who did not make his or her objection to the settlement in the manner provided in the Notice shall be deemed to have waived any such objection. At least 7 days prior to the Fairness Hearing, the parties may file responses to any properly asserted objections.

8. That at least 10 days prior to the Fairness Hearing, the Claims Administrator shall file a written report with the Court confirming that the notice requirements have been met.

9. That the Court preliminarily find all of the terms and provisions of the proposed settlement, including the method of claim administration, terms pertaining to compensation to class members and class representatives, non-monetary relief, expenses and attorneys fees, are fair, reasonable and adequate subject to approval at the final fairness hearing.

WHEREFORE, the parties jointly respectfully request that the Court grant this Motion for Preliminary Approval of Class Action Settlement, issue an Order of Approval making the findings detailed herein and for such other and further relief as the Court deems proper under the circumstances.

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